

**CITY OF EAST PROVIDENCE  
PLANNING BOARD**

**MINUTES**

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**Date:** Monday, January 12, 2015  
**Time:** 7:00 PM  
**Place:** City Council Chambers, City Hall

**1. CALL TO ORDER**

Chairman Robinson called the meeting to order at 7:00 PM. Board members present were Vice Chair Burton Batty, Krista Moravec, Christopher Grant and Octavio Cunha. Staff present were: James Moran, City Engineer Erik Skadberg, and City Solicitor Timothy Chapman.

**2. PLEDGE OF ALLEGIANCE**

**3. SEATING OF ALTERNATE MEMBER**

Mr. Cunha and Mr. Grant were seated as voting members.

**4. APPROVAL OF PLANNING BOARD MINUTES**

Chairman Robinson noted that the following minutes were to be submitted:

Minutes of June 9, 2014  
Minutes of December 17, 2014

Mr. Robinson noted that these minutes have not been submitted due to staff constraints but it is expected that they will be submitted by the next Planning Board meeting.

**5. APPROVAL OF PLANNING BOARD CORRESPONDENCE**

**None**

**6. NEW BUSINESS**

A. File # 2014 – 06-LDP *Public Hearing*, Land Development Project - Preliminary Plan Submittal, Applicant/owner: 375 Wampanoag Trail, LLC; Street Address of Property: 375 Wampanoag Trail, Map 509, Block 2, Parcel 1 (enclosure).

Chairman Robinson asked the applicant to present the proposal to the Board.

Attorney Christine Engustian introduced herself as the attorney representing the applicant, 275 Wampanoag Trail, LLC. She provided an overview of the travel of the application from Master Plan submittal to the current application and also provided an overview of the zoning variances

that were obtained in November of 2014. She indicated that notices to abutters were mailed and that an advertisement was placed in a newspaper of general circulation within the times required under the regulations. She provided an overview of the design proposal to the Planning Board. She described the traffic plan analysis that was completed by the design engineer for the project, Garofalo and Associates. Ms. Engustian described the standards for Land Development projects that are required under Article V. of the City's Zoning regulations. She described the stormwater management plan that was submitted as part of the application. She indicated that no remediation of the site was necessary

Ms. Engustian described the Fiscal Impact Analysis prepared for the application and indicated that the development will provide a net positive revenue impact and will create approximately 150 Full Time Equivalent jobs. She also stated that the application is fully consistent with the City's Comprehensive Plan. Ms. Engustian indicated that all necessary State permits for the development have been obtained.

Ms. Engustian called Steven Garofalo of Garofalo and Associates to testify on the application. After being sworn in, Mr. Garofalo was questioned by Ms. Engustian for the purposes of identifying Mr. Garofalo as an expert in the field of engineering and traffic engineering and as such, qualifies to prepare plans and present testimony to the Board on the application before the Board. Ms. Engustian presented the resume of Steven Garofalo to the Board and asked that the Board vote to enter Mr. Garofalo's resume into the record.

On A Motion by Mr. Batty, and seconded by Ms. Moravec, the Board unanimously voted to enter Mr. Garofalo's resume into the record.

Mr. Garofalo testified to the Board regarding the methodology he utilized in completing his traffic analysis for the development and stated that the results of the traffic impact analysis show that the proposed medical office building will not have an appreciable negative impact on traffic patterns in the vicinity of the development. He also indicated that he did not feel that any mitigative measures would be required and that all site distances into and out of the development were more than adequate to safely service the facility.

Mr. Garofalo indicated that the Stormwater Management Report was prepared under his supervision and that the Underground Injection Control (UIC) permit for this development has been reviewed and approved by the Rhode Island Department of Environmental Management (RIDEM). Mr. Garofalo briefly described how stormwater would be handled on the site and the technologies that would be utilized to manage and treat surface drainage on the property including the use of Low Impact Development (LID) methods. Mr. Garofalo indicated that the site drainage characteristics of the development in post development will be lower than the site drainage characteristics in the predevelopment stage and as such the overall impacts for drainage on the site for all storm events will be improved.

Ms. Engustian indicated that as a result of several comments prepared by the City Engineer the applicant's engineer et al, met with City staff to discuss these comments. At this meeting Garofalo and Associates submitted a letter dated January 12<sup>th</sup>, 2015 that addressed these

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comments. Ms. Engustian presented the letter to the Board asked that the Board enter this letter into the record as exhibit 2.

On A Motion by Mr. Batty, and seconded by Ms. Moravec, the Board unanimously voted to enter Mr. Garofalo's letter into the record as Exhibit 2.

Ms. Engustian asked if Mr. Garofalo believed the comments provided by City Engineer Erik Skadberg in his review memorandum have been adequately addressed. Mr. Garofalo believed that these issues have been addressed.

Ms. Engustian testified that the proposed office development is consistent with the East Providence Comprehensive Plan, meets the general purposes stated in Article 1 of the Regulations and that the required findings of Section 5-4 of the Regulations are being met and based on this she asked that the Board render a favorable vote for the approval of the Preliminary Plan before them.

Ms. Engustian also requested that the Board delegate final approval of the Land Development Project to the Administrative Officer.

Mr. Robinson asked if the Fire Chief's comment relative to a fire hydrant installation has been addressed. Ms. Engustian indicated that the applicant is fully prepared to work with the Fire Department to ensure that this issue is adequately addressed.

Chairman Robinson asked Mr. Moran to present the Planning Department's recommendation to the Board.

Mr. Moran indicated that Attorney Engustian's presentation was very thorough and that he would not cover issues that have already been adequately addressed through her testimony before the Board.

Mr. Moran touched upon the review memoranda prepared by the City Engineer and the responses provided by the applicant's engineer as a result of these comments.

Chairman Robinson asked City Engineer Erik Skadberg if the letter adequately addressed his comments. Mr. Skadberg indicated that it had and that he would work to coordinate with the applicant's engineer to fully address the issues.

Mr. Moran stated that all of the necessary State permits for the development have been obtained as indicated during Attorney Engustian's presentation. Also all appropriate zoning variances for this development have been obtained. Mr. Moran indicated that the size and design of the signage on the property have not been identified, but that at the appropriate time all signage plans will be subject to the review and approval of the Zoning Officer and that if necessary any relief from the signage requirements will need to be determined through an application to the Zoning Board of Review.

Mr. Moran touched upon the results of the traffic impact analysis and indicated that the Fiscal Impact Analysis would have a positive impact on revenues for the City and would also create a significant number of jobs.

Mr. Moran indicated that plan sets stating "Preliminary Plan" on the cover page should be submitted to the Planning Department to allow staff to have these plans for their files. Other minor modifications to the submitted plan sets were identified by Mr. Moran as described within the Planning Department review memorandum.

Mr. Moran indicated that the development is consistent with the City's Comprehensive Plan and Zoning ordinance and is also consistent with the City's Land Development and Subdivision Review Regulations.

### **Recommendation**

Based upon a finding that the proposed medical office development is consistent with the East Providence Comprehensive Plan, meets the general purposes stated in Article 1 of the Regulations and further, that the required findings of Section 5-4 of the Regulations are met, staff recommends Conditional Approval of the Land Development Project Preliminary Plan submission as proposed, subject to the following conditions of this Preliminary Plan approval being incorporated into the Final Plan submission:

- (1) That all comments in the technical staff memoranda, as applicable, and all other applicable City staff comments provided under this review and, in addition, any and all conditions of the Planning Board approval, be reflected in the Final Plan submission;
- (2) That the Land Surveyor's Certification stating: "I do hereby certify that this record plat was prepared under my direction and that, to the best of my knowledge and belief, the boundaries of the property being subdivided are true and accurate" be placed on Sheet ECS-1 of the submitted plans on the Final Plan submission plan set to the City and that Sheet ECS-1 also include the Signature Blocks as required under Sec. 9-9(b)(17) and (18) of the Land Development and Subdivision Review Regulations;
- (3) That a hydrant be located within the confines of the development to replace the hydrant that is being removed from the parcel. The location of this new hydrant will be determined through negotiations between the developer and the Fire Department;
- (4) That the Final Plans and supporting documentation be based upon this Preliminary Plan approval; and
- (5) That final plans be submitted on mylar, and electronic format in AutoCAD version 14.

Planning recommends that Final Plan development review be delegated to the Administrative Officer as allowed under Section 9-10 of the Land Development and Subdivision Review Regulations. While several review issues have been identified under this Preliminary Review Process, Planning believes that the issues can be appropriately handled by City staff and the Administrative Officer under the requirements established for the Final Plan review process.

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Chairman Robinson indicated that this was a public hearing and asked if there was anyone from the public who wished to testify on this matter before the Board. Hearing none Chairman Robinson asked for a motion to accept the requested items into the record including the items requested to be added to this list during the hearing.

### *Items Entered Into the Record*

On a motion by Mr. Batty, and seconded by Ms. Moravec, the Board unanimously voted to enter items 1 through 22 of the Planning Departments exhibits into the record along with January the January 12<sup>th</sup> letter from Garofalo and Associates and the January 6th, 2015 letter from Attorney Christine Engustian to Planning Director Jeanne Boyle.

### *Subdivision*

Mr. Batty stated that based upon the finding that the proposed medical office development is consistent with the East Providence Comprehensive Plan, meets the general purposes stated in Article 1 of the Regulations and further, that the required findings of Section 5-4 of the Regulations are met, he made a Motion that the Land Development Project Preliminary Plan submission as proposed, be conditionally approved subject to the conditions described in the Planning Departments recommendation. The Motion was seconded by Ms. Moravec.

Roll Call Vote:

Mr. Batty: Aye

Ms. Moravec: Aye

Mr. Cunha: Aye

Mr. Grant; Aye

Chairman Robinson: Aye

### *Delegation of Final Approval*

On a Motion by Mr. Batty and seconded by Ms. Moravec, the Board unanimously voted to delegate Final Plan development review to the Administrative Officer as allowed under Section 9-10 of the Land Development and Subdivision Review Regulations.

## **7. CONTINUED BUSINESS**

**None.**

## **8. OTHER BUSINESS**

**None.**

## **9. STAFF REPORT**

**None.**

**10. COMMUNICATIONS**

- A. Notice of Decision – File# 2014-8; 2-Lot Minor Subdivision, 40 Irving Avenue/30 Alexander, Trustees of Methodist Health & Welfare Services; Map 305/Block 15/Parcel 1 (copy enclosed).
- B. Notice of Decision – File# 2013-8- LDP, 77 Highland Avenue, 77 Highland Avenue, LLC; Map 608, Block 2, Parcels 1, 2 and 4 (copy enclosed)
- C. Memorandum of Planning Department to Zoning Board of Review for Requests for Variances and Special Use Permits for January, 2015 (copy enclosed)

On a Motion made by Mr. Batty, Seconded by Ms. Moravec, the Board voted unanimously to accept these documents into the Communications record.

**11. ANNOUNCEMENT**

Next Meeting Monday February 9th *at 7:00 PM in Room 306.*

**12. ADJOURNMENT**

On a Motion made by Mr. Batty, Seconded by Ms. Moravec, the Board voted unanimously to adjourn at 7:54 PM.

JB/JFM/jfm

CC: City Manager  
Mayor Rose, Council Liaison  
Director of Public Works  
City Engineer  
City Solicitor  
Fire Chief  
Zoning Officer